

JOSHUA A. SLIKER, ESQ.
Nevada Bar No. 12493
KYLE J. HOYT, ESQ.
Nevada Bar No. 14886
JACKSON LEWIS P.C.
300 S. Fourth Street, Suite 900
Las Vegas, Nevada 89101
Telephone: (702) 921-2460
Facsimile: (702) 921-2461
Email: joshua.sliker@jacksonlewis.com
Email: kyle.hoyt@jacksonlewis.com

*Attorneys for Defendants
For The Earth Corporation and
Nelson Grist*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FRANK UNDERHILL, JR., an individual,

Plaintiff,

vs.

FOR THE EARTH CORPORATION, an
Arizona Corporation; NELSON GRIST, an
individual; DOES I through X, inclusive; and
ROE ENTITIES XI through M, inclusive,

Defendants.

Case No.: 2:21-cv-01287-CDS-VCF

**JOINT STATUS REPORT AND
STIPULATION TO SET BRIEFING
SCHEDULE**

Defendants Integrity Health Corporation f/k/a For The Earth Corporation (“FTEC”) and Nelson Grist (“Defendants”), by and through their counsel of record, Jackson Lewis, P.C., and Plaintiff Frank Underhill, Jr. (“Plaintiff”), by and through his counsel of record, Law Office of Byron Thomas, submit the following Joint Status Report and Stipulation to Set Briefing Schedule as follows:

1. The parties filed a stipulated Notice of Settlement on April 6, 2022 (ECF No. 24; ECF No. 28).

1 2. The confirmed essential terms of settlement include that Plaintiff enter into a release
2 and that payment obligations would be due 60 and 90 days “following receipt of the executed release
3 and tax forms.” *Id.*

4 3. Defendants have prepared and presented a release to Plaintiff. *Id.*

5 4. A dispute has arisen between the parties concerning the terms of the release. Plaintiff
6 contends the release exceeds the terms of the parties’ agreement, and the Defendant contends that it
7 does not.

8 5. Defendants intend to file a Motion to Enforce the Settlement Agreement.

9 6. The parties agree that, due to the current commitments of Defense counsel and
10 upcoming holiday and travel plans, Defendants may have until Friday, January 13, 2023 to file a
11 Motion to Enforce.

12 7. The parties further agree that discovery should remain stayed until all briefing is
13 complete and the Court issues a ruling on the Motion to Enforce.

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

8. Nothing in this stipulation shall be construed as prohibiting any party from filing any other appropriate motion.

This stipulation is entered into in good faith and not for purposes of delay.

Dated this 12th day of December, 2022.

LAW OFFICE OF BYRON THOMAS

JACKSON LEWIS P.C.

/s/ Byron E. Thomas

/s/ Kyle J. Hoyt

BYRON E. THOMAS, ESQ.

JOSHUA A. SLIKER, ESQ.

Nevada Bar No. 8906

Nevada Bar No. 12493

3275 S. Jones Blvd., Ste. 104

KYLE J. HOYT, ESQ.

Las Vegas, Nevada 89146

Nevada Bar No. 14886

Attorneys for Plaintiff

300 S. Fourth Street, Suite 900

Frank Underhill, Jr.

Las Vegas, Nevada 89101

Attorneys for Defendants

For The Earth Corporation and Nelson Grist

ORDER

IT IS SO ORDERED:



United States Magistrate Judge

Dated: 12-13-2022

4877-8410-6819, v. 1